

Hearing Date: May 27, 2009
Hearing Time: 10:00 a.m. (EDT)
Objection Deadline: May 22, 2009

BAKER & HOSTETLER LLP

45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Marc E. Hirschfield
Email: mhirschfield@bakerlaw.com
Alissa M. Nann
Email: anann@bakerlaw.com

*Attorneys for Irving H. Picard, Esq.,
Trustee for the SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

**NOTICE OF FILING OF RESOLUTIONS AND AMENDMENTS TO
CERTAIN EMPLOYEE BENEFIT PLANS**

Irving H. Picard, Esq. (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (the “Debtor”), under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), by and through his undersigned counsel, in connection with and as referenced in his motion for entry of an order authorizing the Trustee to enter into amendments to and effectuate the termination of certain employee benefit plans

sponsored and maintained by the Debtor (“Termination Motion”) [Docket No. 207], hereby submits the following:

- Form of Resolutions of Bernard L. Madoff Investment Securities LLC, dated May __, 2009 (“Resolutions”).
- Exhibit A – Form of Amendment and Termination of the Bernard L. Madoff Investment Securities LLC Employee Benefit Plan (Amended and Restated Effective December 1, 2007) (“Benefit Plan Amendment”).
- Exhibit B – Form of Amendment and Termination of the Bernard L. Madoff Investment Securities LLC Cafeteria Plan (Premium Conversion Plan, Health Care Spending Account, and Dependent Care Spending Account) (Amended and Restated Effective December 1, 2007) (“Cafeteria Plan Amendment”).

Final and executed version of the Resolutions, Benefit Plan Amendment and Cafeteria Plan Amendment will be submitted to the Court at the hearing on the Termination Motion, set for May 27, 2009.

NOTICE

Notice of this Notice of Filing has been provided by U.S. mail, postage prepaid, or email to (i) SIPC; (ii) the SEC; (iii) the Internal Revenue Service; (iv) the United States Attorney for the Southern District of New York; and (v) all employees of the Debtor as of May 1, 2007 through the Filing Date and third parties reasonably believed to have a colorable interest in one or more of the Employee Plans. The Trustee shall also serve, via the ECF filing that will be made, each person or entity that has filed a notice of appearance in this case. The Trustee submits that no other or further notice need be given. In addition, copies of the Resolutions, Benefit Plan Amendment and Cafeteria Plan Amendment will be made available on the Trustee’s website at: <http://www.madofftrustee.com/DocketFilings.aspx>.

Dated: New York, New York
May 22, 2009

/s/ Alissa M. Nann

David J. Sheehan
Marc Hirschfield
Alissa M. Nann
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201

*Attorneys for Irving H. Picard, Esq.,
Trustee for the SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC*